

AMENDED IN SENATE MAY 5, 2014
AMENDED IN SENATE APRIL 10, 2014
AMENDED IN SENATE MARCH 25, 2014

SENATE BILL

No. 1178

Introduced by Senator Correa
(Coauthors: Senators Beall, DeSaulnier, and Pavley)

February 20, 2014

An act to add Section 4688.7 to the Welfare and Institutions Code, relating to developmental disabilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1178, as amended, Correa. Developmental disabilities: housing.

Existing law establishes the Multifamily Housing Program, under the administration of the Department of Housing and Community Development, to provide financial assistance in the form of a deferred payment loan to fund projects for, among other things, the development and construction of new transitional or rental housing developments.

Existing law establishes the Predevelopment Loan Program, under the administration of the Department of Housing and Community Development, to make predevelopment loans and land purchase loans to eligible sponsors for use in developing assisted housing for occupancy primarily by persons of low income.

This bill would establish the California Developmental Disabilities Community Support Housing Fund, to be administered by the ~~department and to consist of, among other things, department.~~ *The bill would require specified moneys to be paid into the fund, including, among others, moneys saved from transitioning individuals with developmental disabilities from an institution to housing in the*

community. The bill would require the ~~department~~ *department, in collaboration and consultation with the State Department of Developmental Services and regional centers*, to expend moneys in the fund, upon appropriation by the Legislature, to develop housing through the Multifamily Housing Program and the Predevelopment Loan Program for individuals with developmental disabilities.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares that the
2 purpose of this act is to develop and provide community-based
3 housing for individuals with developmental disabilities by
4 accomplishing the following:

5 (a) Creating community-based housing options, including shared
6 housing, for individuals with developmental disabilities.

7 (b) Expanding and leveraging existing resources for affordable
8 housing and integrated community placement of individuals with
9 developmental disabilities.

10 (c) Establishing housing opportunities for individuals with
11 developmental disabilities who are at risk of housing ~~displacement~~.
12 *displacement, which includes a consumer whose individual*
13 *program plan identifies that he or she is at risk of housing*
14 *displacement and may include, but is not limited to, a consumer*
15 *who resides in jail, who is placed in an inappropriate level of care,*
16 *who resides in substandard housing, or who can no longer afford*
17 *the cost of his or her current housing.*

18 SEC. 2. Section 4688.7 is added to the Welfare and Institutions
19 Code, to read:

20 4688.7. (a) For the purposes of this section, the following
21 terms have the following meanings:

22 (1) "Community support services" means the services and
23 supports identified in subdivision (b) of Section 4512.

24 (2) "Department" means the Department of Housing and
25 Community Development.

26 (3) "Fund" means the California Developmental Disabilities
27 Community Support Housing Fund.

28 (4) "Institution" means a developmental center, a mental health
29 facility, including, but not limited to, a facility that provides acute

1 inpatient psychiatric care and an institution for mental disease, and
2 a skilled nursing facility.

3 (b) The California Developmental Disabilities Community
4 Support Housing Fund is hereby established within the State
5 Treasury.

6 ~~(e) The fund shall consist of all of the following:~~

7 *(c) The following moneys shall be paid into the fund:*

8 (1) (A) Moneys saved from transitioning individuals with
9 developmental disabilities from an institution to housing in the
10 community and from preventing the institutionalization of
11 individuals with developmental disabilities.

12 (B) The Department of Finance, or another state entity
13 designated by the Department of Finance, shall annually determine
14 the amount of the moneys identified in subparagraph (A) by
15 calculating the sum of the following:

16 (i) The average annual cost of providing services to a consumer
17 who resides in ~~a developmental center~~, *an institution*, less the
18 average annual cost of providing community support services to
19 a consumer who ~~is~~ *has been* placed in the community *from a*
20 *developmental center in the last 10 years*, multiplied by the number
21 of consumers who have transitioned from an institution to housing
22 in the community in the preceding fiscal year.

23 (ii) (I) The average annual cost of providing services to a
24 consumer who resides in an institution, less the average annual
25 cost of providing community support services to a consumer who
26 ~~is~~ *has been* placed in the community *from a developmental center*
27 *in the last 10 years*, multiplied by the number of consumers who
28 ~~are were~~ deflected from admission to an institution *in the preceding*
29 *fiscal year*.

30 (II) For the purposes of this clause, a consumer is deflected from
31 admission to an institution if his or her individual program plan
32 establishes that he or she has complex service needs and requires
33 additional community support services to remain housed in the
34 community and avoid admission to an institution or placement
35 with an out-of-state service.

36 ~~(iii) (I) The average annual cost of providing services to a~~
37 ~~consumer who resides in an institution, less the average annual~~
38 ~~cost of providing community support services to a consumer who~~
39 ~~is placed in the community, multiplied by the number of consumers~~
40 ~~who are at risk of housing displacement.~~

1 ~~(H) For the purposes of this clause, a consumer is at risk of~~
2 ~~housing displacement if his or her individual program plan~~
3 ~~identifies that he or she is at risk of housing displacement and may~~
4 ~~include, but is not limited to, a consumer who resides in jail, who~~
5 ~~is placed in an inappropriate level of care, who resides in~~
6 ~~substandard housing, or who can no longer afford the cost of his~~
7 ~~or her current housing.~~

8 (C) The Department of Finance, or the other state agency
9 designated by the Department of Finance, shall work with the *State*
10 Department of ~~Social~~ *Developmental* Services, regional centers,
11 and other entities, as appropriate, to obtain the data necessary to
12 make the determination identified in subparagraph (B).

13 (2) Moneys earned from leases of developmental center facilities
14 entered into after the effective date of this section.

15 (3) Notwithstanding Section 16305.7 of the Government Code,
16 interest and dividends on moneys deposited in the fund pursuant
17 to this section.

18 (4) Any other moneys transferred to the fund.

19 (d) The fund shall be administered by the department.

20 (e) The department, *in collaboration and consultation with the*
21 *State Department of Developmental Services and regional centers,*
22 shall expend moneys in the fund, upon appropriation by the
23 Legislature, to develop housing through the Multifamily Housing
24 Program (Chapter 6.7 (commencing with Section 50675) of Part
25 2 of Division 31 of the Health and Safety Code) and the
26 Predevelopment Loan Program (Chapter 3.5 (commencing with
27 Section 50530) of Part 2 of Division 31 of the Health and Safety
28 Code) for individuals with developmental disabilities.